

CITY OF MAPLE VALLEY, WASHINGTON
ORDINANCE NO. O-20-696

**AN ORDINANCE OF THE CITY OF MAPLE VALLEY,
WASHINGTON, TO EXTEND INTERIM REGULATIONS
RELATED TO MULTI-FAMILY DWELLINGS IN THE TOWN
CENTER AND COMMUNITY BUSINESS ZONES FOR A PERIOD
OF SIX MONTHS, PROVIDING FOR EFFECTIVE DATE,
HEARING AND SEVERABILITY.**

WHEREAS, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose interim regulations to be effective for a period of up to six months, and for six month intervals thereafter; and

WHEREAS, the City of Maple Valley enacted an interim zoning ordinance related to multi-family dwellings in the Town Center and Community Business zones on November 27, 2017 for a period of six months by way of ordinance O-17-634; and

WHEREAS, the City of Maple Valley extended the interim zoning ordinance related to multi-family dwellings in the Town Center and Community Business zones on May 14, 2018 for an additional period of six months by way of ordinance O-17-642; and

WHEREAS, the City of Maple Valley extended the interim zoning ordinance related to multi-family dwellings in the Town Center and Community Business zones on November 13, 2018 for an additional period of six months by way of ordinance O-18-653; and

WHEREAS, the City of Maple Valley extended the interim zoning ordinance related to multi-family dwellings in the Town Center and Community Business zones on May 13, 2019 for an additional period of six months by way of ordinance O-19-666; and

WHEREAS, the City of Maple Valley Planning Commission has been diligently working toward the consideration and subsequent recommendations for multi-family dwellings in the Town Center and Community Business zones; and

WHEREAS, the City of Maple Valley Planning Commission has provided a recommendation to City Council; and

WHEREAS, on July 22, 2019, the City Council held a study session in which they considered the recommendation of the Planning Commission concerning multi-family dwellings in the Town Center and Community Business zones; and

WHEREAS, on September 18, 2019, the Planning Commission held a public hearing on the interim zoning regulations; and

WHEREAS, the City of Maple Valley extended the interim zoning ordinance related to multi-family dwellings in the Town Center and Community Business zones on November 12, 2019 for an additional period of six months by way of ordinance O-19-682; and

WHEREAS, the City of Maple Valley has continued work studying the effects of mixed use in commercial areas on traffic impacts; and

WHEREAS, the City of Maple Valley City Council wishes to extend the interim zoning regulations for an additional six-month period and limit the total amount of allowed mixed use permit applications to no more than 75 units;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Effective Period of Interim Development Regulations. This ordinance code shall be effective immediately and shall continue in effect for a period of six months, until October 22, 2020, unless earlier repealed, renewed, or modified by the City Council as provided by State law.

Section 2. Section 18.30.030 of the Maple Valley Municipal Code (MVMC) entitled “Allowed uses by zoning district - Residential” is hereby amended to read as follows (new text is shown in underline; deleted text is show in ~~strikethrough~~):

8.30.030 Allowed uses by zoning district – Residential.

A. Table.

USE	ZONING DISTRICT										
	R-4/6	R-8	R-12	R-18/24 ¹⁵¹⁴	NB	CB	PUB	PRO	TC	REC	RLTC
Dwelling, Single-Family	P	P ¹²¹¹	P ¹²¹¹	P ¹²¹¹				P ¹³¹²			
Factory-Built Home	P ¹	P ¹	P ¹	P ¹				P ^{1, 1312}			
Townhouse	C ⁴³	P	P	P				P ^{4, 1312}	A		
Group Home	P ³²	P ³²	P ³²	P ³²		P ³²					
Bed and Breakfast	C ⁵⁴	C ⁵⁴	C ⁵⁴	C ⁵⁴							
Dwelling, Multiple-Family		C	P	P	P ⁶⁵	P ¹¹¹⁰			P ²		
Retirement Home			P	P							
Senior Assisted Housing	P ³²	P ^{3, 142, 13}	P ^{3, 142, 13}	P ^{3, 142, 13}		P ³²					
Nursing Home	P ³²	P ³²	P ³²	P ³²		P ³²					
Home Occupation	A ⁷⁶	A ⁷⁶	A ⁷⁶	A ⁷⁶					A ⁷⁶		

USE	ZONING DISTRICT										
	R-4/6	R-8	R-12	R-18/24 ¹⁵¹⁴	NB	CB	PUB	PRO	TC	REC	RLTC
Accessory Dwelling Unit	A ⁸⁷	A ⁸⁷	A ⁸⁷	A ⁸⁷							
Dormitories										A	A
Caretaker Dwelling Unit					A ⁹⁸	A ⁹⁸	A ⁹⁸	A ⁹⁸	A ⁹⁸	A	A
Animals	A ¹⁰⁹	A ¹⁰⁹	A ¹⁰⁹	A ¹⁰⁹	A ¹⁰⁹	A ¹⁰⁹			A ¹⁰⁹		

B. Specific Requirements.

1. Mobile, manufactured and modular homes shall be subject to the following development standards:

- a. The home comprises at least one 14-foot-wide by 60-foot-long section or two parallel sections each of not less than 12 feet wide by 36 feet long;
- b. The home must be placed on a permanent foundation similar to that required of other residential construction;
- c. The home was originally constructed with and now has a pitched roof with a slope no less than three-inch rise to 12-inch run, and the roof must be an integral part of the home and shall be made of either composition, shakes or shingles (wood or metal);
- d. The home has exterior siding similar in appearance to siding materials commonly used on conventional site-built single-family residences;
- e. All requirements of this title and other applicable regulations must be met.

~~2. The first floor of vertical mixed uses in the TC zone shall have commercial uses on the entirety of the ground floor. Horizontal mixed uses shall incorporate a minimum of 25 percent of the site footprint to include commercial uses. Retail and office uses shall be oriented to the street frontage. Rental offices, private gymnasiums, conference rooms, recreation areas, and other nonpublic spaces shall not count toward the required commercial area.~~

32. Group homes, senior assisted living homes and nursing homes shall be subject to the following development standards:

- a. The home shall be limited to individuals who need special care due to sensory, mental, or physical disabilities and who are considered handicapped or who are otherwise within the scope of [42 U.S.C. 3602](#);
- b. The home shall be licensed by an appropriate agency of the State;

c. The home shall conform to the development standards of this code applicable to other residential uses in the zone in which it is located; and

d. Off-street parking spaces meeting the requirements of this code shall be provided.

43. Townhouse units located within the R-4, R-6 and PRO zones as applicable shall be limited to no more than 50 percent of the total units within a development and limited to buildings with no more than four attached units. A Conditional Use Permit is not required for townhouse units on lots in a subdivision designed and designated for townhouse units.

54. Bed and breakfasts shall meet the following development standards:

a. The facility must serve as an accessory use to the permanent residence of the operator;

b. The only meal to be provided to guests shall be breakfast and it shall only be served to guests taking lodging in the facility;

c. Guest rooms shall be limited to three or fewer;

d. Length of stay shall be no longer than two consecutive weeks; and

e. Adequate off-street parking of one space for each guest room plus the required minimum two spaces for the residence shall be provided, and the parking shall not be in the required front yard unless it is screened from the street with at least Type I landscaping and is compatible with the surrounding neighborhood.

65. Residential uses allowed as a part of a development at second story and above only in the Neighborhood Business zoning district.

76. Home occupations shall be subject to the following restrictions:

a. The total area devoted to all home occupation(s) shall not exceed 20 percent of the floor area of the total dwelling unit;

b. There shall be no visible permanent change in the appearance of the dwelling unit, such as signs, lighting, exterior display, or permanent (longer than 60 days) unscreened outdoor storage of material or equipment, which would attract attention to the home occupation conducted therein;

c. No more than one nonresident shall be employed on site by the home occupation(s);

d. The following activities shall be prohibited:

i. Automobile, truck and heavy equipment repair;

ii. Auto body work or painting;

- iii. Parking and storage of heavy equipment; and
- iv. Storage of building materials for use on other properties;
- e. The home occupation(s) shall not generate pedestrian traffic or vehicular traffic or parking demand unreasonable for the district or neighborhood in which it is located;
- f. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
 - i. One stall for a nonresident employed on site by the home occupation(s); and
 - ii. Minimum one additional stall for patrons when services are rendered on site; and to prevent visual and traffic impacts, the home occupation may use or store no more than one vehicle for the pickup of materials used by the home occupation or the distribution of products from the site;
- g. The home occupation(s) shall not use equipment or processes which generate noise, vibration, dust, glare, fumes, odors, radio/television/electrical interference, fire hazards, or any other nuisance-like effect to any greater or more frequent extent than that which is normal to the district or neighborhood in which it is located.

87. Accessory dwelling units shall comply with the following development standards:

- a. Only one accessory dwelling shall be permitted per lot;
- b. The accessory dwelling must be in the same building as the principal residence when the lot is less than 10,000 square feet in area;
- c. The primary residence or the accessory dwelling unit shall be owner occupied;
- d. The accessory dwelling unit shall not be larger than 50 percent of the living area of the primary residence;
- e. At least one additional off-street parking space shall be provided; and
- f. The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied.

98. Caretaker units may be allowed, subject to the following restrictions:

- a. Only one caretaker dwelling unit shall be permitted for each primary use or multi-tenant building;
- b. At least one additional off-street parking space shall be provided; and

c. The caretaker dwelling unit may only be occupied by a watchman, custodian, manager, or property owner for the subject property.

~~109~~. Animals may be kept as an accessory to a residential use in accordance with animal control regulations and subject to the following conditions:

a. Small Animals.

i. Small animals kept indoors as household pets shall not be limited in number.

ii. Small animals kept outdoors shall be limited to five, unless the resident obtains a hobby kennel license from King County Animal Control.

iii. Structures for the keeping of small animals outdoors such as aviaries, apiaries, kennels, runs, cages, etc., shall be set back from property lines a minimum of 10 feet.

b. Large Animals.

i. Large animals are limited to one per each one-half acre of property.

ii. Enclosures or structures for the housing of large animals shall be set back from property lines a minimum of 20 feet.

iii. Large animals not kept within enclosures shall be restricted to roaming areas which are set back a minimum of 10 feet from property lines.

iv. The keeping of large animals on properties containing streams, wetlands, shorelines or other protected water sources shall be in compliance with critical area requirements.

~~1044~~. The first floor of vertical mixed uses in the CB zone shall have commercial uses on the entirety of the ground floor. Horizontal mixed uses shall incorporate a minimum of 25 percent of the site footprint to include commercial uses when the site has frontage on SR-169, SR-516, or Witte Road. Commercial uses shall be oriented to the street frontage. Horizontal mixed uses not fronting on the above streets shall incorporate a minimum of 10 percent of the site footprint to include commercial uses. Retail and office uses shall be oriented to the street frontage. Rental offices, private gymnasiums, conference rooms, recreation areas, and other nonpublic spaces shall not count toward the required commercial area. Multi-family dwellings in the CB zone shall be limited to no more than 75 additional units permitted after May 11, 2020.

~~1211~~. Single-family detached development in Multifamily zones (R-8 through R-24) shall be subject to the development standards applicable to single-family detached development in the R-6 zone.

~~1312~~. Single-family and townhouse residential developments are allowed as accessory uses in the PRO zones:

- a. When utilizing less than 50 percent of the amount of land area dedicated toward the primary recreational use.
- b. At a maximum density of one dwelling unit per gross acre.
- c. Subject to the development standards set forth in Chapter [18.40](#) MVMC for single-family development in the R-4 zone.

~~44~~13. Density may be calculated at the rate of 0.5 dwelling units per senior assisted housing unit. To qualify for this density calculation, and as a condition of development permit approval, the applicant must record with the King County Assessor a covenant that runs with the land stating that the building(s) will be used for senior assisted living housing. This covenant shall not be released without the express written approval of the City of Maple Valley. Prior to releasing the covenant, the City shall determine that the intended use of the property meets density requirements for the current zoning of the property.

Section 3. Hearing. In accordance with the requirements of State law, a public hearing on these interim regulations will be held within 60 days of adoption of interim regulations.

Section 4. Severability. If any section, sentence, or phrase of this ordinance should be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, or phrase of this ordinance.

ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THIS 11th DAY OF MAY 2020.

Sean P. Kelly, Mayor

ATTEST:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Patricia Taraday, City Attorney

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